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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

plication of:

Jerome B. Zeldis

Confirmation No.: To Be Assigned

Application No:

10/693,794

Group Art Unit: To Be Assigned

Filed:

October 23, 2003

Examiner: To Be Assigned

For: METHODS OF USING AND

COMPOSITIONS COMPRISING

IMMUNOMODULATORY COMPOUNDS FOR TREATMENT, MODIFICATION AND MANAGEMENT OF PAIN

Jones Day Docket No.: 9516-076-999

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56 AND §1.97

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 and § 1.97 to inform the Patent Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of any claim of the application, Applicants hereby direct the Examiner's attention to the references A01-A66 listed on the attached form PTO 1449 entitled "List of References Cited by Applicant."

Identification of the listed references is not to be construed an admission of Applicant or Attorneys for Applicant that such references are available as "prior art" against the subject application. Applicant respectfully requests that the Examiner review the foregoing references and that the references be made of record in the file history of the application.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b) before the mailing of the first Office action on the merits. Therefore, no fee is believed to be due.

Should any fee be required, however, please charge such fee to Jones Day Deposit Account No. 503013.

Respectfully submitted,

Date July 26, 2004

Yeahsil Moon

52 042

For: Anthony M. Insogna

35,203

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Enclosures



LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

ATTY DOCKET NO. 9516-076-999 (CAM: 501872-999075) APPLICATION NO.

10/693,794

APPLICANT

Zeldis

FILING DATE

GROUP

October 23, 2003 1614

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	60/499,723	09-04-03	Jaworsky			
	A02	09/781,179	02-12-01	Muller			
	A03	09/972,487	10-05-01	Robarge			
	A04	10/032,286	12-21-01	Robarge			
	A05	2002/0045643	04-18-02	Muller et al.			
	A06	2003/0045552	03-06-03	Robarge et al.			
	A07	2003/0096841	05-22-03	Robarge et al.			
	A08	2004/0038874 A1	02-26-04	Omoigui			
	A09	3,536,809	10-27-70	Applezweig			
	A10	3,598,123	08-10-71	Zaffaroni			
	A11	3,845,770	11-05-74	Theeuwes et al.	1 0		
	A12	3,916,899	11-04-75	Theeuwes et al.			
	A13	4,008,719	02-22-77	Theeuwes et al.			
	A14	5,059,595	10-22-91	La Grazie			
	A15	5,073,543	12-17-91	Marshall et al.			
	A16	5,120,548	06-09-92	McClelland et al.			
	A17	5,134,127	07-28-92	Stella et al.			
	A18	5,354,556	10-11-94	Sparks et al.			
	A19	5,591,767	01-07-97	Mohr et al.			
	A20	5,593,990	01-14-97	D'Amato			
	A21	5,629,327	05-13-97	D'Amato			
	A22	5,635,517	06-03-97	Muller et al.			
	A23	5,639,476	06-17-97	Oshlack et al.			
	A24	5,674,533	10-07-97	Santus et al.			

A25	5,698,579	12-16-97	Muller
A26	5,703,092	12-30-97	Xue, et al.,
A27	5,733,566	03-31-98	Lewis
A28	5,798,368	08-25-98	Muller et al.
A29	5,874,448	02-23-99	Muller et al.
A30	5,877,200	03-02-99	Muller
A31	5,929,117	07-27-99	Muller et al.
A32	5,955,476	09-21-99	Muller et al.
A33	6,071,948	06-06-00	D'Amato
A34	6,281,230	8-28-01	Muller et al.
A35	6,316,471	11-13-01	Muller et al.
A36	6,335,349	01-01-02	Muller et al.
A37	6,380,239	04-30-02	Muller et al.
A38	6,395,754	05-28-02	Muller et al.
A39	6,403,613	06-11-02	Man et al.
A40	6,458,810	10-0102	Muller et al.
A41	6,476,052	11-05-02	Muller et al.
A42	6,555,554	04-29-03	Muller et al.
A43	6,635,250	10-21-03	Olmarker, et al.,

	-	FOREIG	N PATENT DOCUMENTS				
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSL	ATION
						YES	NO
A44	WO 98/03502	01-29-98	PCT				
 A45	WO 98/54170	12-03-98	PCT				
A46	WO 00/18409	04-06-00	PCT				
 A47	WO 02/059106	08-01-02	PCT				<u> </u>

	OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)
A48	Abbott, F. et al. Pain 60:91-102 (1995)
A49	Arruda, Janice L. et al., Brain Research, 879, 216-225, 2000
A50	Bennett G J, Clinical journal of pain, 16(3 Suppl) S139-143, 2000
A51	Toussirot E., et al., Expert opinion on investigational drugs, 10(1), 21-9, Jan. 2001
A52	Carstensen, Jens T., Drug Stability: Principles & Practice, 2d. Ed., Marcel Dekker, NY, NY, 1995, pp. 379-80
A53	Corral, L.G. et al., Ann. Rheum. Dis. 58:(Suppl I) 1107-1113 (1999)
A54	Dray, A., British Journal of Anaesthesia, 75: 125-131, 1995
A55	Dzwierzynski et al., Hand Clinics Vol 10 (1): 29-44 (1994)

Feng Huang, et al., Arthritis and rheumatism, 47(3), 249-54, Jun. 2002
George, et al., Pain, 88, 267-275, 2000
Hogan, Q., Regional Anesthesia and Pain Medicine 27(4):385-401 (2002)
Langerman et al., Pharmacol. Toxicol. Methods 34:23-27 (1995)
Malmberg, A. and Yaksh, T., Pain 60:83-90 (1995)
Miller, J.M., et al., Antibiot. Med. Clin. Ther., 7, 743-746, 1960
Perez R.S., et al., J Pain Symptom Manage 2001 Jun; 21(6): 511-26
Rajkumar, S.V., et al., Archives of internal medicine, 161, 2502-3, Nov. 2001
Schwartzman R.J., N Engl J Med 343(9): 654 (2000)
Schwartzman R.J., Curr Opin Neurol Neurosurg 6(4): 531-6 (1993)
1 Burger's Medicinal Chemistry and Drug Discovery, 172-178, 949-982 (Manfred E. Wolff ed., 5th ed. 1995)

	EXAMINER DATE CO	NSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.